

## Committee Agenda

Committee: House Commerce  
Room: 464  
Date: Friday, January 14, 2011  
Time: 10:00 AM

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Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

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**THIS WILL BE AN ORGANIZATIONAL MEETING.**

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ROGER D. SOLUM, Chair

## Committee Agenda

Committee: House Education  
Room: 413  
Date: Friday, January 14, 2011  
Time: 7:45 AM

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# Departmental Overview

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THOMAS J. BRUNNER, Chair

86<sup>th</sup> Legislative Session – 2011

Committee: House Judiciary

Friday, January 14, 2011

P - Present  
E - Excused  
A - Absent

Roll Call

P Abdallah  
E Boomgarden  
P Feinstein  
P Gibson  
P Hansen (Jon)  
E Killer  
P Kopp  
P Nelson (Stace)  
P Russell  
P Tornow  
P Turbiville  
P Gosch, Vice-Chair  
P Hunt, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair Hunt.

MOTION: TO INTRODUCE THE FOLLOWING BILLS ON BEHALF OF THE UNIFIED JUDICIAL SYSTEM:

AN ACT TO CLARIFY THE JURISDICTIONAL AMOUNT IN A SMALL CLAIMS COURT PROCEEDING.

AN ACT TO REVISE CERTAIN PROVISIONS RELATING TO THE ASSIGNMENT OF A JUDGMENT.

AN ACT TO REVISE THE STATUTORY DUTIES OF THE PRESIDING JUDGE OF EACH JUDICIAL CIRCUIT.

AN ACT TO PROVIDE JURISDICTION FOR CLERK MAGISTRATES TO ACCEPT CERTAIN PENALTIES.

AN ACT TO PERMIT A WRITTEN PROMISE TO APPEAR FOR VIOLATORS OF OVERWEIGHT VEHICLE PROVISIONS.

AN ACT TO REVISE CERTAIN PROVISIONS CONCERNING CERTAIN FEES FOR THE ELECTRONIC TRANSMISSION OF COURT RECORDS.

Moved by: Turbiville  
Second by: Feinstein  
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Abdallah, Feinstein, Gibson, Hansen (Jon), Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Excused: Boomgarden, Killer

HB 1003: permit the Interim Rules Review Committee to revert a rule if the rule imposes unreasonable costs.

THE CHAIR DEFERRED HB 1003

HB 1018: provide for a partial early final discharge from parole.

THE CHAIR DEFERRED HB 1018

HB 1019: include employees responsible for persons on supervised release or probation and members of the Board of Pardons and Paroles in protections afforded law enforcement and judicial officers.

THE CHAIR DEFERRED HB 1019

HB 1020: repeal certain provisions regarding the disclosure of parole eligibility at sentencing.

Presented by: Max Gors, Department of Corrections

MOTION: DO PASS HB 1020 (Handouts #1 & #2)

Moved by: Abdallah  
Second by: Gibson  
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Abdallah, Feinstein, Gibson, Hansen (Jon), Kopp, Nelson (Stace), Russell, Tornow,

Turbiville, Gosch, Hunt

Excused: Boomgarden, Killer

HB 1021: revise certain provisions regarding the inspection of parole files.

Presented by: Max Gors, Department of Corrections (Handout: #3)

MOTION: AMEND HB 1021

1021ra

On page 2, line 1, of the printed bill, after "inspection." Insert "The secretary shall have twenty days after receipt of the notice to inform the court if the secretary will appear to resist the application.".

On page 2, line 10, after "inspection." Insert "The secretary shall have twenty days after receipt of the notice to inform the court if the secretary will appear to resist the application.".

Moved by: Turbiville  
Second by: Tornow  
Action: Subsequently prevailed by voice vote.

MOTION: AMEND THE PENDING AMENDMENT

1021rb

In the pending amendment (1021ra), on the second line, after "secretary" delete "will" and insert "intends to".

In the pending amendment (1021ra), on the fifth line, after "secretary" delete "will" and insert "intends to".

Moved by: Gibson  
Second by: Feinstein  
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1021 AS AMENDED

Moved by: Gibson

Second by: Turbiville  
Action: Prevailed by roll call vote. (9-2-2-0)

Voting Yes: Abdallah, Feinstein, Gibson, Hansen (Jon), Kopp, Nelson (Stace), Russell, Turbiville, Hunt

Voting No: Tornow, Gosch

Excused: Boomgarden, Killer

HB 1004: codify the legislation enacted in 2010.

Presented by: Doug Decker, Code Commission

MOTION: DO PASS HB 1004

Moved by: Turbiville  
Second by: Gosch  
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Abdallah, Feinstein, Gibson, Hansen (Jon), Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Excused: Boomgarden, Killer

MOTION: PLACE HB 1004 ON CONSENT CALENDAR

Moved by: Turbiville  
Second by: Gosch  
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Turbiville  
Second by: Gosch  
Action: Prevailed by voice vote.

Cindy Tryon  
Committee Secretary

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Roger W. Hunt, Chair

## Committee Agenda

Committee: House State Affairs  
Room: 414  
Date: Friday, January 14, 2011  
Time: 8:30 AM

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## **Organizational Meeting**

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DAVID LUST, Chair